

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ROOMS TO GO (P.R.), INC.,
Plaintiff

v.

CIVIL NO. 09-1081 (ADC)

DANIEL HAMILTON ET AL.,
Defendants

REPORT AND RECOMMENDATION

A settlement conference was held today attended by plaintiff's attorney, María del M. Ortiz Rivera, and co-defendant Daniel Hamilton, president, chief executive officer and/or owner of co-defendant Limpiomuebles.com, Inc. ("Limpiomuebles") The parties were able to reach a settlement as to the request for a preliminary injunction, but not as to the remaining claims of the complaint.

Mr. Hamilton, on his behalf and on behalf of Limpiomuebles, informed the court that all references to Rooms to Go and its logo have been removed from Limpiomuebles' website. He also agreed, on his behalf and on behalf of Limpiomuebles, not to ever use in the future the name of Rooms to Go or its logo in advertisements or publicity in any media (print, television, radio, internet, etc.) without the express consent of plaintiff Rooms to Go (P.R.), Inc.

WHEREFORE, the request for injunctive relief should be deemed as MOOT.

This report and recommendation is filed pursuant to 28 U.S.C. § 636(b)(1)(B) and Rule 72(d) of the Local Rules of Court. Any objections to the same must be specific and must be filed with the Clerk of Court within ten (10) days of its receipt. Rule 72(d), Local Rules of Court; Fed. R. Civ. P. 72(b). Failure to timely file specific objections to the report and recommendation is a waiver of the right to review by the district court. United States v. Valencia-Copete, 792 F.2d 4 (1st Cir. 1986).

IT IS SO RECOMMENDED.

In San Juan, Puerto Rico, this 19th day of February, 2009.

s/Marcos E. López
U.S. MAGISTRATE JUDGE